

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
2 FOR THE COUNTY OF MARION

3 CHARLES A. MORGAN and GAYLEEN )  
4 V. MORGAN, husband and wife, )

5 Plaintiffs, )

6 V. )

7 CHARLES A. SIDES, )

8 Defendant. )

No. 88C-11354

COMPLAINT: ACTION  
ON INSTALLMENT NOTE

FILED  
SEP 13 PM 3:50  
CLERK OF DISTRICT COURT  
JANUARY 4 1988

9 Plaintiff alleges:

10 1.

11 On or about December 1, 1986, at Gladstone, Oregon for  
12 valuable consideration, defendant made, executed, and  
13 delivered to plaintiff, his certain installment note for the  
14 payment of \$55,391.23, a copy of which is attached hereto as  
15 exhibit "A".

16 Plaintiffs are the owners and holders of said  
17 installment note.

18 2.

19 Defendant has not paid the installment due on December  
20 1, 1987, or any part thereof, plaintiff has demanded payment  
21 and defendant is now in default for non-payment of the  
22 December 1, 1987 installment and there is now due and owing  
23 thereon, the sum of \$55,391.23 plus interest thereon at the  
24 rate of 9% per annum from December 1, 1986, until paid.

25 3.

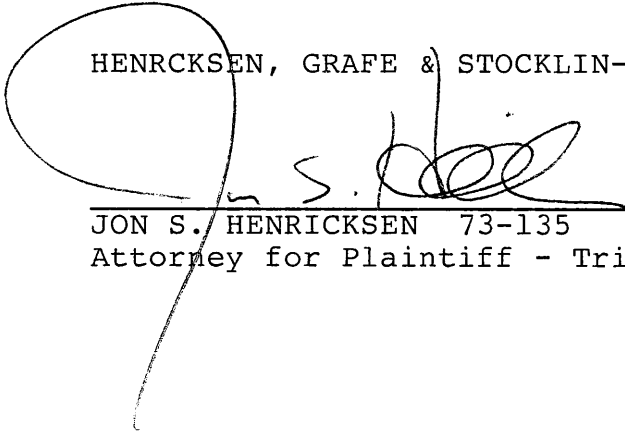
26 Said note provides in part that if suit or action is

1 filed to collect the same, the court may assess reasonable  
2 attorney fees in such suit or action.

3 Reasonable attorney fees of \$3,000.00 plus additional  
4 attorney fees for trial and post trial legal work should be  
5 assessed by the court as reasonable.

6 WHEREFORE, plaintiff demands judgment against defendant  
7 for \$55,391.23 plus interest thereon at 9% per annum from  
8 December 1, 1986, until paid; for plaintiff's reasonable  
9 attorney fees herein; and his actual costs and  
10 disbursements.

11 HENRICKSEN, GRAFE & STOCKLIN-ENRIGHT PC

12   
13 JON S. HENRICKSEN 73-135  
14 Attorney for Plaintiff - Trial attorney  
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\$ 55,391.23

Gladstone, Oregon

December 1

, 19 86

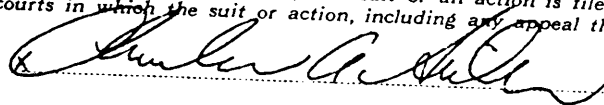
I (or if more than one maker) we, jointly and severally, promise to pay to the order of Charles A. Morgan and Gayleen V. Morgan, husband and wife, with the rights of survivorship at 20016 South White Lane, Oregon City, Oregon.

...Fifty Five Thousand Three Hundred Ninety One and 23/100... DOLLARS,

with interest thereon at the rate of 9% percent per annum from December 1, 1986 until paid, payable in annual installments of not less than \$ 4,985.21 in any one payment/being interest only payments.

\* in addition to the minimum payments above required; the first payment to be made on the 1st day of December 19 87, and a like payment on the 1st day of December each year thereafter, until the whole sum, principal and interest has been paid; if any of said installments is not so paid, all principal and interest to become immediately due and collectible at the option of the holder of this note. If this note is placed in the hands of an attorney for collection, I/we promise and agree to pay holder's reasonable attorney's fees and collection costs, even though no suit or action is filed hereon; however, if a suit or an action is filed, the amount of such reasonable attorney's fees shall be fixed by the court, or courts in which the suit or action, including any appeal therein, is tried, heard or decided.

\* Strike words not applicable.



The full amount of this note, principal and interest, is due and payable on or before December 1, 1991.

ORM No. 17—INSTALLMENT NOTE.

SN Stevens-Ness Law Publishing Co., Portland, Ore

EXHIBIT "A"

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

CASE NO. 88C-11354

Charles A. Mogan )  
Plaintiff(s) )  
vs. )  
Charles A. Sides )  
Defendant(s) )

JUDGMENT OF DISMISSAL

IT APPEARING TO THE COURT THAT:

- [ ] the above entitled cause has been reported to the Court as being fully compromised and settled. Said matter was reported by \_\_\_\_\_;
- [X] there having been no service of the complaint, pursuant to UTCR 7.020 (2);
- [ ] there having been no motion for default filed, pursuant to UTCR 7.020 (3);
- [ ] there having been no judgment taken, upon order of default;
- [ ] there having been no activity in the above entitled case as reflected by the file since \_\_\_\_\_;

IT IS THEREFORE ADJUDGED that the above entitled cause be, and the same is hereby dismissed.

DATED this 7th day of June, 19 89.

Zal W. Brown  
CIRCUIT COURT JUDGE

copies mailed to:

Jon S. Hendricksen  
Attorney at Law  
Suite 47-B 82nd Ave.  
Gladstone, OR 97027